



# SELECTION RELATED LEGAL & PROFESSIONAL PARAMETERS

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Division of Human Resources, Department of Personnel & Administration



| TOPIC   | FEDERAL   | STATE                                |   |  |   |   |
|---|---|--------------------------------------|---|--|---|---|
|   | Law/Admin Guidelines  | Constitution                         | Statutes  | Rules/Director's Procedures  | Professional Standards  | Operational Guidelines                          |
| Announcements<br>Types<br>Content<br>Distribution<br>Residency Requirement  |   | Article 12 - 13(6)                   |   | P-4-1, P-12-3  |   | Announcements                                   |
| Applications<br>Form<br>Acceptance<br>Review<br>Notification  |   |                                      | 24-50-112.5(1)(a)<br>24-50-112.5(3)(a)<br>24-50-142   | P-4-2<br>P-4-10  |   | Appl. Forms<br>Appl. Acceptance<br>Appl. Review |
| Core Classes  |   |                                      |   |  |   | No Longer in use                                |
| Eligible List   |   | Article 12 - 13(5)                   | 24-50-112.5(3)(a) &<br>24-50-112.5(2)(a-b)<br>24-50-302   | P-4-13, R-12-9,<br>R-12-11   |   |   |
| Equal Opportunity   | Title VII (1964), as amended  | Article 12 – 13(1)                   | 24-50-101(3a)<br>24-50-141<br>24-34-402   | R-4-1, P-4-11  |   |   |
| Examination (Item) Bank   |   |                                      |   |  |   | Exam Bank                                       |
| Examination Plan<br>Testing<br>Exam Construction<br>Admission to exam<br>Scheduling/Notice to applicant<br>Conduct<br>Test accommodations | Uniform Guidelines on Employee Selection Procedures (1978) <sup>1</sup><br>Title VII (1964)<br>ADA (Title I)<br>Rehabilitation Act, Sec. (503, 504) | Article 12-13(1)<br>Article 12-13(5) | 24-50-101(3)(a)<br>24-50-112.5(1)(b)<br>24-50-112.5 (3)(b)<br>24-50-112.5(1)(a)<br>24-50-112.5(4)(a-c)<br>24-50-112.5(2)(b)<br>24-50-125.3<br>24-50-125.4 | P-4-11, P-4-12,<br>Director Appeals:<br>P-8-1 to P-8-12,<br>R-12-12, P-4-11, | Standards for Educational & Psychological Testing, 5.1 – 5.10, 5.14, 5.16 |   |

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|--|--|-----------------|--|------------------------------------|---|------------------------|
|  | Law/Admin Guidelines                       | Constitution    | Statutes                               | Rules/Director's Procedures        | Professional Standards  | Operational Guidelines |
| Appeal, Test-taker rights<br>Results<br>Make-up Exams<br>Reexamination<br>Notice for Non-accept to exam                        | Uniform Guidelines                         |                 | 24-50-112.5(6)<br>24-50-133            |                                    |   |                        |
| Examination Records<br>Test Analysis<br>Length of retention<br>Method of recordkeeping<br>Documents                            | Uniform Guidelines                         |                 | 24-50-127<br>24-50-130                 | P-1-3                              | Standards for Educational & Psychological Testing 5.15                        |                        |
| Test Analysis<br>Methods (Z-scores, Percent)<br>Pass Points<br>Errors<br>Adverse Impact<br>Validity<br>Reliability             | Uniform Guidelines<br>Sec 4 (H) and others | Article 12 - 15 | 24-50-112.5(1)(a)<br>24-50-112.5(3)(a) | P-4-14, P-4-11                     | Standards for Educational & Psychological Testing 4.19, 4.21, 5.8, 5.14, 8.11 |                        |
| Interviewing   |  |                 |  | P-4-17                             |   |                        |
| Job Analysis   | Uniform Guidelines                         |                 | 24-50-112.5(3)(a)                      | R-4-2                              | Standards for Educational & Psychological Testing 14.4, 14.6, 14.8 – 14.11    | Job Analysis           |
| Minimum Qualifications/Job Profiles<br>Substitutions, BFOQs<br>Exams<br>Transfers, Reemployment, Reinstatement, Reappointments | Uniform Guidelines                         |                 | 24-50-112.5(1)(a)<br>24-50-112.5(3)(a) | R-4-2, P-4-10.<br>P-12-14, P-12-27 |   |                        |

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|   | Law/Admin Guidelines                 | Constitution                             | Statutes  | Rules/Director's Procedures   | Professional Standards   | Operational Guidelines |
| Open Records/Security of materials  |                                      |  | 24-50-127<br>24-72-201 – 206  | P-4-11  | Standards for Educational & Psychological Testing 5.7, 5.16, 8.6 |                        |
| Recruitment<br>Employment Lists<br>Departmental<br>Reemployment<br>Promotional<br>Open-Competitive<br>Methods of filling<br>Order of use:<br>Transfer<br>Voluntary demotion<br>Reappointment<br>Reinstatement<br><br>Temporary<br>Appointments<br>Department<br>Reemployment<br>Promotional<br>Open-competitive | Uniform Guidelines (not recruitment) | Article 12 – 13(6)<br>Article 12 - 13(9) | 24-50-101 (3)(a)<br>24-50-112.5(3)(b)<br>24-50-114<br>24-50-112.5(2)(a-b)<br>24-50-121<br>24-50-112.5(5)(a)<br>24-50-126(2) | R-4-3, R-4-4,<br>R-4-5, P-4-3, P-4-4<br>P-4-5, P-4-6, P-4-7<br>P-4-8, P-4-9, R-4-6<br>R-4-7, R-4-8,<br>P-4-13, P-4-14,<br>P-4-20, P-4-21,<br>P-4-22, R-12-9,<br>R-12-11, R-12-20<br>P-20-24 |  | Recruitment            |
| Referrals<br>Notice<br>Time limits<br>Notice of selection/non-selection   |                                      | Article 12 - 13(5)                       | 24-50-112.5(2)(b)<br>24-50-141  | P-4-17, P-4-18  |  | Referrals              |
| Removal of names from list<br>Notice<br>Appeal  |                                      |  | 24-50-112.5(1)(a)<br>24-50-133  | P4-15, P-4-16, Director's Review Process: P-8-20 to P-8-23  |  | Removal of Names       |

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| Uniform System of Personnel Management and Administration |                      |              | 24-50-101                      |                             |                        |                        |
| Veterans= Preference                                      | Title 5<br>Title 38  | 12-15        | 24-50-112.5(2)(b)<br>24-50-511 | R-4-8                       |                        | Veterans' Preference   |

<sup>1</sup>Uniform Guidelines on Employee Selection Procedures (1978) have been adopted by the following Federal agencies. The specific agency regulation follows the agency name.

Equal Employment Opportunity Commission: 29 CFR part 1607

Department of Labor Office of Federal Contract Compliance Programs: 41 CFR part 60-3

Department of Justice: 28 CFR 50.14

Civil Service Commission: 5 CFR 300.103(c)

These guidelines are used in the enforcement of Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, and Civil Rights Act of 1991.

\*House Bill 01-1085 was signed into law on March 11, 2001 and went into effect August 9, 2001. This bill repealed 24-50-111, 24-50-112, 24-50-113, 24-50-115 and 24-50-121 and replaced them with 24-50-112.5.